

REV.  
10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**PLAINTIFFS**

DALAEJA FOREMAN and BRYANT ARACENA

## **DEFENDANTS**

METROPOLITAN TRANSPORTATION AUTHORITY, et al.

**ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**  
Rose M. Weber 917-415-5363  
30 Vesey Street, Suite 1801  
New York, NY 10007

**ATTORNEYS (IF KNOWN)**

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

**42 U.S.C. Section 1983: Civil rights violations including false arrest, excessive force, and First Amendment**

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date & Case No.

#### **IS THIS AN INTERNATIONAL ARBITRATION CASE?**

No  Yes

(PLACE AN [x] IN ONE BOX ONLY)

#### **NATURE OF SUIT**

TORTS

#### **ACTIONS UNDER STATUTES**

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/			[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[ ] 400 STATE
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	REAPPORTIONMENT
INSTRUMENT	SLANDER	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	[ ] 410 ANTITRUST
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	[ ] 368 ASBESTOS PERSONAL			[ ] 430 BANKS & BANKING
OVERTOPMENT &	EMPLOYERS'	INJURY PRODUCT	PROPERTY RIGHTS		[ ] 450 COMMERCE
ENFORCEMENT	LIABILITY	LIABILITY			[ ] 460 DEPORTATION
[ ] 151 OF JUDGMENT	[ ] 340 MARINE	PERSONAL PROPERTY	[ ] 820 COPYRIGHTS	[ ] 880 DEFEND TRADE SECRETS ACT	[ ] 470 RACKETEER INFLU-
MEDICARE ACT	[ ] 345 MARINE PRODUCT		[ ] 830 PATENT		ENCED & CORRUPT
[ ] 152 RECOVERY OF	LIABILITY	[ ] 370 OTHER FRAUD	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	ORGANIZATION ACT	
DEFALTED	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK	(RICO)	
STUDENT LOANS	[ ] 355 MOTOR VEHICLE			[ ] 480 CONSUMER CREDIT	
(EXCL VETERANS)	PRODUCT LIABILITY				[ ] 485 TELEPHONE CONSUMER
RECOVERY OF	[ ] 360 OTHER PERSONAL			PROTECTION ACT	
OVERTOPMENT	INJURY	[ ] 380 OTHER PERSONAL	LABOR		
OF VETERAN'S	[ ] 362 PERSONAL INJURY -	PROPERTY DAMAGE	[ ] 861 HIA (1395ff)		
BENEFITS	MED MALPRACTICE	[ ] 385 PROPERTY DAMAGE	[ ] 862 BLACK LUNG (923)		
[ ] 160 STOCKHOLDERS		PRODUCT LIABILITY	[ ] 863 DIWC/DIVW (405(g))		[ ] 490 CABLE/SATELLITE TV
SUITS			[ ] 864 SSID TITLE XVI		[ ] 850 SECURITIES/
[ ] 190 OTHER			[ ] 865 RSI (405(g))		COMMODITIES/
CONTRACT		PRISONER PETITIONS			EXCHANGE
[ ] 195 CONTRACT		[ ] 463 ALIEN DETAINEE	[ ] 740 RAILWAY LABOR ACT		[ ] 890 OTHER STATUTORY
PRODUCT	ACTIONS UNDER STATUTES	[ ] 510 MOTIONS TO	[ ] 751 FAMILY MEDICAL	FEDERAL TAX SUITS	ACTIONS
LIABILITY		VACATE SENTENCE	LEAVE ACT (FMLA)		[ ] 891 AGRICULTURAL ACTS
[ ] 196 FRANCHISE	CIVIL RIGHTS	28 USC 2255	[ ] 1790 OTHER LABOR	[ ] 870 TAXES (U.S. Plaintiff or	[ ] 893 ENVIRONMENTAL
		[ ] 530 HABEAS CORPUS	LITIGATION	Defendant)	MATTERS
		[ ] 535 DEATH PENALTY	[ ] 871 IRS-THIRD PARTY		[ ] 895 FREEDOM OF
		[ ] 540 MANDAMUS & OTHER	26 USC 7609		INFORMATION ACT
			SECURITY ACT (ERISA)		[ ] 896 ARBITRATION
<b>REAL PROPERTY</b>					
[ ] 210 LAND	[ ] 441 VOTING		IMMIGRATION		[ ] 899 ADMINISTRATIVE
CONDENMATION	[ ] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS			PROCEDURE ACT/REVIEW OR
	[ ] 443 HOUSING/		[ ] 462 NATURALIZATION	APPEAL OF AGENCY DECISION	
[ ] 220 FORECLOSURE	ACCOMMODATIONS	[ ] 550 CIVIL RIGHTS	APPLICATION		[ ] 950 CONSTITUTIONALITY OF
[ ] 230 RENT LEASE &	[ ] 445 AMERICANS WITH	[ ] 555 PRISON CONDITION	[ ] 465 OTHER IMMIGRATION	STATE STATUTES	
EJECTMENT	DISABILITIES -	[ ] 560 CIVIL DETAINEE	ACTIONS		
[ ] 240 TORTS TO LAND	EMPLOYMENT	CONDITIONS OF CONFINEMENT			
[ ] 245 TORT PRODUCT					
LIABILITY					
[ ] 290 ALL OTHER	[ ] 446 AMERICANS WITH				
REAL PROPERTY	DISABILITIES - OTHER				
	[ ] 448 EDUCATION				

***Check if demanded in complaint:***

**DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?**

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$\_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

*Check YES only if demanded in complaint*

JURY DEMAND:  YES  NO

**NOTE:** You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- |   |   |  |   |  |   |   |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened                 | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented       |   |  | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |  |   |   |
| <input type="checkbox"/> b. At least one party is pro se. |   |  |   |  |   |   |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF     2 U.S. DEFENDANT     3 FEDERAL QUESTION     4 DIVERSITY  
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

## DEFENDANT(S) ADDRESS UNKNOWN

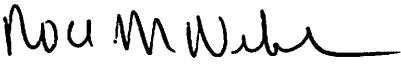
REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 4/28/21

  
 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
 YES (DATE ADMITTED Mo. 12 Yr. 1997)  
 Attorney Bar Code # RW-0515

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)